

## CLAIM AMENDMENTS

1. (Currently Amended) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well comprising:

- (a) a plurality of reels;
- (b) a plurality of pre-determined fixed symbols, with said symbols randomly distributed on each of said reels;
- (c) means for displaying a portion of said reels to a player so that for each of said reels at least two full symbols of said symbols on each of said reels may be visually perceived by said player;
- (d) means for rotating each of said reels;
- (e) a player controlled stop for each of said reels so that under the control of a player said rotation of said reels may be effectively immediately stopped;
- (f) a pre-determined location within said portion of said reels that is displayed to said player;
- (g) means for determining if a symbol of said two full symbols visually perceived by said player of said plurality of fixed symbols on each of said reels is stopped within said pre-determined location;
- (h) a results table to determine the outcome of the play of said game based on whether said player has timed the operation of said stops whereby at least one of said pre-determined fixed symbols is stopped within one of said pre-determined locations; whereby said player plays said rotating reel based game by initiating means for rotating each of said reels then using said player controlled stops for each of said reels to attempt to stop said symbol of said two full symbols within said pre-determined location according to said results table to maximize the results for said player.

2. (Previously Amended) A rotating reel based game apparatus requiring patience, skill,

knowledge, and concentration to play well of Claim 1 wherein said means for rotating each of said reels rotates said reels at a rotational speed so that said player has a time interval at least one-tenth of a second to use said player controlled stop to stop the rotation of the reels whereby the player may control if a symbol of said two full symbols visually perceived by said player of said plurality of said fixed symbols is stopped within said pre-determined location.

3. (Previously Amended) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 2 wherein a bonus window randomly displays one of said plurality of pre-determined fixed symbols, said display occurring prior to initiating said means for rotating each of said reels, and said results table to increase results based on whether said player has timed the operation of said player controlled stops whereby a symbol of said two full symbols visually perceived by said player is stopped within one of said pre-determined locations for said plurality of reels by said player that matches said symbol displayed in said bonus window whereby said player uses said player controlled stops to attempt to stop in said pre-determined location symbols matching said symbol displayed in said bonus window to obtain increased results thereby.

4. (Original) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 3 wherein the same total number of said plurality of pre-determined fixed symbols are randomly distributed on each of said plurality of fixed reels.

5. (Original) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 4 wherein said plurality of pre-determined fixed symbols is a fixed amount and a fixed multiple number of said fixed amount of symbols is randomly distributed on each of said reels whereby for each individual symbol each reel will have that said multiple number of said individual symbol displayed on said reel so that no symbol appears more or less

frequently than any other symbol on said reel whereby said player can use concentration and memory to anticipate the order of symbols on said reels maximizing player's opportunity to activate said stops within said time interval according to said results table.

6. (Original) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 5 further comprising a timer so that when game is started by initiating said means for rotation of said reels to begin game that said player has a fixed amount of time to operate said player controlled stop for each of said reels.

7. (Original) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 6 wherein said symbols are constrained to stop outside of said pre-determined location at expiration of said fixed amount of time unless player has used said player controlled stop within said fixed amount of time determined by said timer to stop said reel whereby a player must use said player controlled stop within said fixed amount of time to stop at least one of said pre-determined fixed symbols within said pre-determined location to obtain favorable results from said result table thereby requiring skill from a player to be successful in play of said game.

8. (Previously Amended) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 7 wherein if a player is successful in stopping a pre-determined number of said two full symbols visually perceived by said player of said symbols displayed in said bonus window in said pre-determined location, then player is awarded by a special bonus table.

9. (Original) A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 8 further comprising a game counter to record how many games have been played.

10. (Currently Amended) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) means for displaying to a player on a video screen a plurality of reels;
- (b) means to make said means for displaying said plurality of reels to appear to rotate said reels by successively projecting on said video screen images of a reel at differing locations on said video screen;
- (c) means for displaying on each of said reels a plurality of full symbols visually perceived by a player of predetermined fixed symbols;
- (d) for each of said plurality of reels, means to effectively immediately stop said apparent rotation of said reel, said means to stop controlled by said player;
- (e) means for determining whether player has used said means to stop so that at least one of said plurality of full symbols visually perceived by a player of said predetermined fixed symbols is stopped within a predetermined location on said video screen;
- (f) means for determining results of said play of game based on whether said player used said means to stop whereby at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within one of said predetermined locations.

11. (Previously Amended) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 10 wherein said means to stop allows a player at least one-tenth of a second to use said means to stop at least one of said plurality of full symbols visually perceived by a player of said pre-determined fixed symbols within said pre-determined location on said video screen.

12. (Previously Amended) An electronic video based apparatus for simulating a rotating reel

game that requires patience, skill, knowledge, and concentration to play well of Claim 11 further comprising a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols, with said bonus symbol display occurring randomly prior to activating said means for displaying to a player on a video screen a plurality of reels, and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols visually perceived by a player matching said bonus symbol is stopped within one of said pre-determined locations by said player.

13. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 12 wherein each of said plurality of said reels has the same total number of said plurality of pre-determined fixed symbols.

14. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 13 wherein said plurality of pre-determined fixed symbols is a fixed amount, and a fixed multiple number of said fixed amount of pre-determined fixed symbols is randomly distributed on each of said reels, whereby each reel will have for each individual symbol that fixed multiple number of said individual symbols displayed on said reel whereby no symbol appears more or less frequently than any other symbol on said reel.

15. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 14 which further comprises a timer so that when said means for displaying a plurality of reels begins to operate, said player has a fixed amount of time to operate said means to stop.

16. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 15 wherein said fixed symbols

are constrained to stop outside of said pre-determined location at expiration of said fixed amount of time unless player has used said means to stop within said fixed amount of time determined by said timer to stop said reel.

17. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 16 that further comprises means for shuffling said random distribution of said symbols on each of said reels, said means for shuffling constrained to operate only between games and not during play of a game.

18. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 17 wherein said means for shuffling is constrained so that no more than two of any same symbol will be in succession on a reel but where said symbols are otherwise randomly distributed on each of said reels.

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19. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 18 wherein said means for shuffling is constrained to operate after a pre-determined number of games has been played.

20. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 19 wherein a said fixed amount of time determined by said timer expires without a player using means to stop said reels, then said means for shuffling is activated for each of said reels but said symbol displayed in said bonus symbol remains the same until player uses said means to stop said apparent rotation of said reel.

21. (Previously Amended) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 20 wherein if a player is successful in using said means to stop a pre-determined number of said fixed symbols

of said plurality of full symbols visually perceived by a player matching said bonus symbol in said pre-determined location, then player is awarded by a special bonus table.

22. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 21 further comprising a game counter to record how many games have been played.

23. (Previously Amended) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 20 wherein if a player is successful using said means to stop so that a pre-determined number of fixed symbols of said plurality of full symbols visually perceived by a player matching said bonus symbols are stopped in said pre-determined location, then player enters a bonus round, said bonus round comprising a bonus round display on said video screen, said bonus round display further comprising a plurality of flashing symbols, each of said flashing symbols containing a number, each of said numbers different in each of said flashing symbols and wherein there is a second means to stop that is used to stop said flashing of said symbols whereby a player receives a reward multiplied by said number appearing in said flashing symbol stopped by said player using said second means to stop.

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24. (Original) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 23 wherein said second means to stop allows a player at least one-tenth of a second to signal a stop of said flashing bonus symbols.

25. (Previously Amended) An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 24 wherein said means to stop allows a player at least two-tenths of a second to stop at least one of said pre-

determined fixed symbols of said plurality of full symbols visually perceived by a player within said pre-determined location on said video screen.

26. (Currently Amended) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) providing a plurality of reels;
- (b) providing a means to make said reels appear to rotate;
- (c) providing a means for displaying on each of said reels a plurality of full symbols visually perceived by a player of predetermined fixed symbols;
- (d) providing a means for a player to effectively immediately stop said apparent rotation of said reel;
- (e) providing a means for determining if a player has used said means to stop so that at least one of said plurality of full symbols visually perceived by a player of said predetermined fixed symbols is stopped within a predetermined location on said means for displaying;
- (f) providing a means for determining results of said play of said game based on whether said player has used means to stop whereby at least one of said plurality of full symbols visually perceived by a player of said predetermined fixed symbols is stopped within one of said predetermined locations.

27. (Previously Amended) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 26 further comprising providing at least one-tenth of a second for a player to use said means to stop at least one of said plurality of full symbols visually perceived by a player of said pre-determined fixed symbols within one of said pre-determined locations.

28. (Previously Amended) A method for playing a rotating reel game that requires patience,

skill, knowledge, and concentration to play well of Claim 27 further comprising providing a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols with said bonus symbol display occurring randomly prior to activating said means for displaying to a player a plurality of reels and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols matching said bonus symbol is stopped within one of said pre-determined locations by said player, each of said reels of said plurality of reels is provided with the same total number of said plurality of pre-determined fixed symbols.

29. (Original) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 28 wherein each of said reels is provided with a fixed multiple number of a fixed amount of said pre-determined fixed symbols whereby each of said reels will be provided with the same fixed multiple number of said individual symbols displayed on said reel so that no symbol appears more or less frequently than any other symbol on said reel.

30. (Original) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 29 which further comprises providing a timer so that said player has a fixed amount of time to operate said means to stop.

31. (Original) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 30 further providing a means for shuffling said random distribution of said symbols on said reel, said means for shuffling constrained to operate only between games and not during play of a game.

32. (Previously Amended) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 31 further comprising providing a special bonus table wherein if a player is successful in using said means to stop a pre-determined

number of said fixed symbols of said plurality of full symbols visually perceived by a player matching said bonus symbol in said pre-determined locations then player is awarded by said bonus table.

33. (Original) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 32 of providing a bonus round conditioned upon a player successfully using said means to stop a pre-determined number of fixed symbols matching said bonus symbols in said pre-determined location, said bonus round further comprising providing a bonus display, said bonus round display comprising a plurality of flashing symbols, each of said flashing symbols containing a number, each of said numbers different in each of said flashing symbols and a second means to stop is used to stop flashing of said symbols whereby a player receives a reward multiplied by said number appearing in said flashing symbols stopped by said player using said second means to stop.

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34. (Original) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 33 wherein a player is provided at least one-tenth of a second to use said second means to stop said flashing bonus symbols.

35. (Previously Amended) A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 34 wherein a player is provided at least two-tenths of a second to use said means to stop at least one of said pre-determined fixed symbols of said plurality of full symbols visually perceived by a player within said pre-determined location.

## CLAIMS REJECTIONS

### Claim Rejection 35 USC Sec. 102(c)

The examiner rejected claims 1, 10 and 26 under 35 USC 102(e) as being anticipated by Sakamoto US Patent # 6,315,663. It is noted in passing that the Sakamoto '663 patent has a United States filing date of November 12, 1999 with an effective foreign priority filing date of November 18, 1998 and applicant reserves the right to traverse the Sakamoto patent as prior art for the current invention. Applicant has amended claims 1, 10 and 26. Applicant believes that the amendments do not substantively affect the claims, but were inherent in the claims before the amendments. As was explained in references to prior office actions, the applicant's game is a game of skill. A hypothetical player with instantaneous reflexes will always win the applicant's game. Before claims 1, 10, and 26 were amended, the limitations constrained that two symbols on a reel be visually perceived by a player; that there be a player controlled stop for each of the reels; and that a player uses said player control stop to stop one of the visually perceived symbols of at least two symbols within a predetermined location. Nothing in either the wording of the claims nor in the applicant's disclosure implied or suggested that there would be an appreciable predetermined delay in the time the stop button was pressed and the time the rotation of the reels was stopped. This is in contrast to both the Sakamoto '663 reference and the Nolte reference (US Patent # 6,165,070). Both the Nolte reference and in the Sakamoto reference there is a predetermined time between the time a player presses a stop button and the time the rotation of the reels actually stops. Moreover, in the Sakamoto reference (column 1, lines 63-67; column 2, lines 1-3) this predetermined delay is such that visually perceived symbols will rotate out of the view of the player. Claims 1, 10, and 26 have been amended to clarify the timing feature of the applicant's invention to now explicitly, as previously implicitly required through earlier claim language, require pressing the stop button to effectively immediately stop the rotation of the reels. Unlike either the Sakamoto reference or the Nolte reference, a skillful, quick player can visually perceive a symbol, press the stop button and stop that visually perceived symbol in a winning location in the

applicant's game. In both the Nolte and Sakamoto references, there is a built-in time delay between the time the stop button is pressed and the reels stop and in that time delay a visually perceived symbol will rotate through and out of a player's vision before the rotation of the reel stops, making it impossible for a player even with instantaneous reflexes to stop a visually perceived symbol in a winning location while that visually perceived symbol remains within the player's view. Thus the Sakamoto reference is not a 102(c) reference but teaches away from the applicant's invention.

Although the examiner's heading only refers to rejections of claims 1, 10, , and 26 within that 102 rejection, the examiner refers to claim 11 as being rejected and specifically repeats language from an earlier office action regarding the Sakamoto reference (column 1, lines 44-52). As was explained in the Request for Continued Examination, apparently the examiner misunderstood this portion of the Sakamoto patent. The meaning of this patent is exactly the opposite the interpretation given by the examiner. In fact, the 190 milliseconds is not time given to a player to visually perceive a symbol, press a stop button in response to that visual perception and to stop a symbol in a particular location, but rather, it is a minimum delay imposed by law between the time a stop instruction is generated and the time the reels stop rotation. As is explained in the Sakamoto reference, when a stop instruction is generated, the reel does not stop immediately or "in a moment" (column 1, line 65), it decelerates and symbols shift by predetermined number of symbols usually five. This predetermined time delay guarantees that visually perceived symbols will rotate out of the view of the player and the symbols that may stop are not symbols visually perceived by the player whenever a stop button or means is activated. This is in contrast to the current invention and more specifically to claim 11 which gives a player at least one-tenth of a second to perceive a symbol, press the stop button, hence to have that visually perceived symbol stop in the desired location. Consequently, the teaching of the Sakkamoto reference is away from, the current invention.

In so far as there is a rejection of claims 26, 27, and 1 and 2, the above arguments regarding claims 10 and 11 herein are incorporated by reference herein.

Claims Rejections 35 USC 103(a)

Claims 2, 11, and 27 are rejected under 35 USC 103(a) as being unpatentable over Sakamoto in view of Nolte. The examiner combines the Nolte '070 reference with the Sakamoto reference . The examiner reasons that Sakamoto does not specifically disclose the time interval to enact the player controlled stop to stop at each symbol. This is apparently referring to the limitations in claims 2, 11, and 27 which allows a minimum time of at least one-tenth of a second to use the player control stop to stop the rotation of the reels whereby the player may control if a symbol of said two full symbols perceived by a player is stopped within said predetermined location. Examiner, however, goes on to say "Nolte discloses using a variable time interval to use a player controlled stop (Figure 3A; column 9, lines 29-34) wherein the signal can be time based upon a casino's preferences." In fact, the Nolte reference has a built-in time delay before the rotation of the reels, hence symbols stop. This time delay is constrained to require time for at least two video images to move through the display window (Nolte, column 13, lines 34-37). Also the Nolte description, beginning at column 12 line 62 and extending through column 13 line 45, explains that less than two full symbols be displayed at any one time. Hence, the Nolte reference is a "Catch 22" for a player, in which the time delay between the Nolte stop button is pressed and the reels stop, is enough to guarantee at least two full symbols pass through the display, so the effect of the Nolte disclosure is to guarantee that when a player presses a stop button no visually perceived symbol in view at the time the stop button is pressed will stop on the screen.

The portion of the Nolte reference that the examiner uses, colum 9, lines 29-34, are not explaining how a player selects an icon, but rather defines what is meant by a selected icon. In this

section, Nolte is defining an icon that stops in a grid as the “selected” icon. In no way does this passage mean that the player selected it by some skillful action the player took. All this passage means is that in the Nolte reference when a player presses the stop button a symbol will stop in the display window, hence will be the “selected” symbol. The examiner goes on to conclude that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the variable time interval of Nolte into the gaming device of Sakamoto in order to have the ability to reprogram the game machine to increase the complexity and diversity of the slot machine program.” The applicant respectfully requests clarification of this passage by the examiner. This does not seem to reference claims 2, 11, and 27 which limit the operation of the applicant’s invention to guarantee a preset time interval to allow a skillful player at least that amount of time to respond to a visually perceived symbol to press a stop button to effectively immediately stop the symbol in a winning location. As was argued in reference to earlier office actions, these arguments are incorporated by reference herein, both the Sakamoto reference and the Nolte reference distinctly teach away from the teaching of the limitations in claims 2, 11, and 27 of the applicant’s invention. In both the Sakamoto reference and in the Nolte reference, a player can not stop a visually perceived symbol in a winning location by pressing a stop button. The built-in time delay in both the Nolte and Sakamoto references guarantees that any visually perceived symbol in the player’s view when the stop button is pressed will rotate out of the player’s view, hence out of a winning location, before the machine actually stops the rotation of the symbols. For these reasons the combination of Sakamoto with Nolte does not render obvious claims 2,4, and 27 of the current application.

Claims rejected under 35 USC 103(a)

Claims 3-9 12-19, and 28-35

Regarding claims 3,12, and 27 the examiner adds Bennett, US Patent # 6,190,254 to

remedy deficiencies in the Sakamoto and Nolte references. Applicant conceded in the Request for Continued Examination that Sakamoto discloses a bonus window and also conceded that one or more other chance games disclose a bonus window. However, the operation of conventional bonus window such as in the Sakamoto or Bennett references is completely different than the operation of the bonus window in the applicant's invention. In the current game, the player actually controls what symbols stop within a predetermined winning location. The function of the bonus symbol in this invention is explained in pages 19 lines 14 through page 20 line 9. A chance game such as Sakamoto or Bennett a bonus symbol may affect the payout of the game, but does not affect the strategy of the game. As was explained in the applicant's application (page 18, line 14 to page 20 line 9), the use of a bonus symbol affects a player's strategy in many ways in the current game since a player actually controls the outcome of the game. The addition of Bennett to Sakamoto and Nolte does not remedy the essential deficiencies of Sakamoto and Nolte which are not skill games with the timing features and visually perceived symbols of the current invention.

Claims 4 - 9, 13 - 19, and 28 - 35 were rejected as being unpatentable over Sakamoto in view of Nolte and in view of Bennett. Applicant incorporates arguments previously given as to why claims 1-3, 10-12, and 25-27 are patentable. If these underlying claims are patentable, then claims that depend on those underlying claims are also patentable. To respond to each of these claim rejections point by point would require essentially repeating the entire patent disclosure, especially the section headed "Timing of the Game" beginning line 6 on page 25 and extending to the bottom of page 30. For example, claim 6 gives a controlled amount of time to stop the rotation of the reels. In this application the timeout plays a completely different purpose than does the timeout in the Nolte patent. This was explained on page 25 in the current invention a player may allow the time to expire without penalty. The symbols stop outside of preferred location a new game is started, but the order of the symbols on the reels is shuffled to avoid the potential memorization of the order of the symbols on a reel by a player. The introduction of a skill element

as the game is done in this invention changes the meaning and function of the timeout as required in claim 6 from that of a conventional game because of the skill element of this game as claimed in claims 1 - 5.

Conclusion

Applicant has responded to all rejections of the claims made by the examiner. The examiner has indicated claims 20 - 25 are allowable if rewritten. Consequently, it is believed that all claims are now in a condition for allowance and the same is respectfully requested.

This the 1st day of March, 2004

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